THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL NO.2132 OF 2005

Dated: 21-11-2005

Between:

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Hazarath Ameeruddin College of Education …Appellant

And

The State of A.P. rep. by its Secretary, School

Education and others …Respondents

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THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL NO.2132 OF 2005

J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ):

Heard learned counsel for the parties.

The grievance of the appellant is that he wanted permission for conversion of the seats methodology wise and he made an application to the competent authority. He was asked by a letter dated 21-07-2005 through Regional Joint Director of School Education to supply certain information by 25-07-2005. According to the appellant, he has received this letter on 26-07-2005. It is not denied. However, according to the

appellant, he supplied the information sought for by 27-07-2005, but surprisingly, the Regional Joint Director forwarded a report to the Director of School Education on 08-08-2005. Subject matter therein was that the appellant had not supplied information in pursuance of the letter dated 21-07-2005. The Director of School Education, thereafter rejected the request of the appellant on the ground that the information sought from him by the letter dated 21-07-2005 by the Regional Joint Director had not been given. The information given by the appellant by letter dated 27-07-2005 was not discussed either by the Regional Joint Director or by the Director of School Education. It is not denied that the letter written by the Regional Joint Director on 21-07-2005 seeking information by 25-07-2005 was received by the appellant by 26-07-2005. Even after receiving the letter after the deadline fixed, the appellant had supplied the information. That information was not taken into consideration. In this view of the matter, we allow this writ appeal, set aside the order of the learned Single Judge and direct the Director of School Education-the second respondent to issue a fresh notice to the appellant and seek whatever information he wants to seek from him and give him sufficient time to respond the letter and thereafter take a decision in the matter. No order as to costs.

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(Bilal Nazki, ACJ)

21st November, 2005

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(R.Subhash Reddy,J)

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